

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32304 of 2020

Arising Out of PS. Case No.-78 Year-2020 Thana- CHAND District- Kaimur (Bhabua)

BIPIN YADAV S/o Uma Shankar Yadav @ Umashankar Yadav R/o village-
Bhewar, P.S.- Chand, District- Kaimur at Bhabua

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey

For the Opposite Party/s : Mr.Binod Kumar 2

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 08-02-2021 When the matter was taken up on 05.02.2021, the Court had orally ordered for petitioner's release on bail. However, when the order was being corrected, the Court had an occasion to look into the case diary again and since the Court formed an opinion that it was not a fit case for grant of bail, the matter was directed to be listed under the heading "to be mentioned" today for re-hearing.

Heard learned counsel for the parties.

This application for regular bail arises out of Chand P.S. Case No. 78 of 2020, disclosing the offence punishable under Section 307 and other allied Sections of the Indian Penal Code.

It appears from the First Information Report that some dispute had arisen between the parties over filling of earth for



construction of a village lane. It is alleged that the petitioner and other co-accused persons were armed with the fire-arms. There is specific allegation against the petitioner of having repeatedly fired targeting the victim Ram Awatar Yadav injuring his arms, chest and abdominal area.

From the case diary, it transpires that the injury report suggests several fire-arm injuries corroborating the prosecution's case as disclosed in the FIR.

Learned counsel appearing on behalf of the petitioner has submitted that it is not apparent as to which doctor has prepared the injury report.

The said submission is wholly misconceived. The doctor's name has been clearly mentioned in the injury report, who has put his signature. Further, from the report received from the court below, it appears that five witnesses have already been examined out of eight. Plea on behalf of the petitioner that the parties have compromised the case, is not acceptable to this Court for grant of regular bail.

This application is accordingly rejected.

(Chakradhari Sharan Singh, J)

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